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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, FEBRUARY 27, 2002

APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUE010664

To revise its cogeneration
tariff pursuant to Purpa § 210

ORDER

On January 24, 2002, the State Corporation Commission ("Commission") entered an Order granting a motion of Virginia Electric and Power Company ("Company") requesting an extension of time to file an application to modify its cogeneration and small power production rates under its Schedule 19 tariff, and to allow interim use of its current Schedule 19 rates. The Commission's Order granted the Company's request that the extension be for 90 days from the date of the final order entered by the Commission in the Company's functional separation case, Case No. PUE000584. The Commission's final order in this case, styled "Order on Functional Separation," was entered December 18, 2001. The Commission's January 24, 2002 Order on the Company's motion directed that the Company "shall file its application for revised cogeneration and small power production

tariffs 90 days following the date the Commission's Final Order in Case No. PUE000584, or March 18, 2002."

On February 14, 2002, Tractebel North America ("Tractebel"), by counsel, filed a "Petition For Rehearing" of the Commission's January 24, 2002 Order. Tractebel notes that the Company has noted its intent to appeal the Commission's final orders in PUE000584. Tractebel contends that it is not clear from the language in the January 24 Order whether the Commission intended to permit the Company to defer indefinitely its application to revise Schedule 19 pending the full and final outcome of its functional separation case, or if the Company is nevertheless required by the order to file its application not later than March 18, 2002. Tractebel seeks clarification from the Commission of this perceived ambiguity.

NOW THE COMMISSION, upon consideration of Tractebel's petition, is of the opinion and finds that the petition is granted to the extent that we reiterate that the Company shall file its application for revised cogeneration and small power production tariffs on or before March 18, 2002, which is 90 days following the date of the Commission's final order in Case No. PUE000584. We note that the date of the final order in Case No. PUE000584, December 18, 2001, is unaffected by the Company's notice of appeal in that proceeding.

Accordingly, IT IS ORDERED THAT:

(1) The Company shall, as indicated in our January 14, 2002, Order Granting Motion, file its application for revised cogeneration and small power production tariffs on or before March 18, 2002, which is 90 days following the date of the Commission's final order ("Order on Functional Separation") in Case No. PUE000584.

(2) This matter is continued.